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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 040373/0294 3-7-03

Applicant: Atsuya YAMASHITA
Title: HIGH-SPEED/HIGH-RELIABILITY ETHER TRANSMISSION
SYSTEM AND I/F APPARATUS
Serial No.: 09/709,634
Filed: November 13, 2000
Examiner: Unassigned
Art Unit: 2661

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that items of information A3 - A7 listed on the Form PTO SB/08 submitted with this Information Disclosure Statement were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Items of information A1 and A2 are U.S. Patents that are counterparts to items of information A6 and A7, respectively (which both are laid open Japanese patent applications).

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued January 10, 2003 with respect to a counterpart Japanese patent application is provided below.

"Claims 1-12

Cited Example 1	Japanese Unexamined Publication H11-074927	Patent Application
Cited Example 2	Japanese Unexamined Publication H06-311161	Patent Application
Cited Example 3	Japanese Unexamined Publication H10-313335	Patent Application
Cited Example 4	Japanese Unexamined	Patent Application

Cited Example 5 Publication H06-224908
Japanese Unexamined Patent Application
Publication S63-284949

Remarks

It is recognized that the invention pertaining to the subject application could be readily achieved by a person skilled in the art.

In addition, dispersion of traffic is widely known (see Cited Example 3-5 if necessary), and it is recognized that Cited Example 1 and 2 could be modified as appropriate by a person skilled in the art.

Record of Prior Art Literature Search Results

Fields searched - IPC 7th Ed.
H04L 12/44

DB name

Prior art literature

This Record of Prior Art Literature Search Results does not constitute a reason for rejection."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

5 March, 2003
Date

Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5300
Facsimile: (202) 672-5399